

SOLID WASTE DIVISION

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Energy and Technology Committee
Michigan House of Representatives
9 AM, Tuesday, October 27, 2009

House Bill 5334

Kent County is asking consideration on two proposed amendments in the bill.

1. Page 3, (b) delete: "operates" add: "owns"

Rationale:

Kent County owns the Kent County Waste-to-Energy Facility that is operated by Covanta of Kent through a contract. The WTE operation air permit is in the name of the County, the County operates the scale house and the MDEQ licensed transfer station. The County is responsible for "contractual requirements or other notification or inspection procedures..." not the operator as currently proposed.

2. Following the same rationale as landfills as an energy production facility we are asking to be authorized to receive yard clippings. Or, as an alternative exempt from the bill those counties that have a WTE in their approved Solid Waste Management Plan.

Background:

The Kent County Waste-to-Energy Facility (WTE) receives solid waste from the six cities of Kentwood, Walker Grand Rapids, East Grand Rapids, Grandville and Wyoming. The County has long term contracts with these municipalities to provide solid waste management disposal services. Each municipality has an ordinance describing the facility and delivery requirements for waste companies operating in the municipality. One of the delivery requirements is that yard clippings (yard waste) cannot be delivered to the WTE in accordance with State law. HB 5334 allows a "Landfill Energy Production Facility" to accept yard clipping.

Problem:

We believe a scenario exists whereby waste companies operating in the six municipalities will make a decision to combine solid waste and yard clippings. The bill allows waste companies to collect more than a "de minimus amount of yard clippings". Once solid waste and yard clippings are combined and knowing that the WTE cannot accept yard clippings the waste company will

deliver the collected combined (solid waste and yard clippings) load to a "Landfill Energy Production Facility" as allowed by the bill.

Solution:

- Allow Waste-to-Energy facilities to accept yard clippings. WTE facilities are more efficient than a "Landfill Energy Production Facility" toward producing energy in the form of electricity. The Kent County Waste-to-Energy facility to combust yard waste for years prior to the ban. Authorizing a WTE facility to again accept yard waste to produce energy for electricity follows the same logic as the proponents of this bill. A WTE facility converts all biomass to energy (complete combustion) whereas the bill requires a "Landfill Energy Production Facility" only to have a landfill gas utilization conversion factor of 70%. WTE facilities have sophisticated up-to-date air emission control systems including a "selective non-catalytic reduction" system (nitrogen oxide control system); no such air emission equipment exists for a "Landfill Energy Production Facility".

- Kent County has a MDEQ approved "Solid Waste Management Plan" that includes the WTE, delivery requirements to the WTE and enforcement mechanisms. Amend the bill to exempting Kent County from this bill.